

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

GARNETT SMITH,

Defendant.

CRIM. NO. JKB-12-479

* * * * *

MEMORANDUM ORDER

Now pending before the Court are Defendant's Motion for Reduction of Sentence Under 18 U.S.C. § 3582(c)(2) (ECF No. 219) and Defendant's Motion to Amend Motion to Reduce Sentence (ECF No. 223). Both motions are DENIED.

18 U.S.C. § 3582(c)(2) authorizes a district court to reduce a defendant's sentence only in cases in which the guidelines range applicable to the defendant has "been lowered by the Sentencing Commission." Defendant identifies Amendment 782 as lowering the applicable guidelines range. But, as noted in the government's opposition (ECF No. 226), because Defendant's criminal conduct involved more than 1,000 kilograms of cocaine, Amendment 782 did not affect the guidelines range applicable to Defendant. As such, Defendant is not eligible for a sentence reduction under 18 U.S.C. § 3582(c)(2).

DATED this 29th day of April, 2020.

BY THE COURT:

/s/

James K. Bredar
Chief Judge